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DELIVERED BY

HON. MOSES E. CLAPP

UNITED STATES SENATOR FROM MINNESOTA

AT THE

MEMORIAL EXERCISES HELD AT GETTYSBURG, PA.
ON MAY 30, 1914

PRESENTED BY MR. KENYON

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Making due allowance for the manifest exaggeration of ancient history, the Civil War was without doubt the most gigantic struggle the world has ever witnessed. Viewed in the light of its relation to history, it stands without a parallel. Christianity brought into the current of human activities a force which, in the chain of sequence, was destined to sooner or later lead man to the goal of free government. But whether, when this goal was reached, there would be found in the association thus developed, in a case where the element of fear of a common enemy was wanting, that cohesive force necessary to resist the claim of the right of withdrawal from the association, when such claim was made by a large body of its citizens, was perhaps too problematical to class the result of the test as a link in the chain of historic sequence. That test was the fundamental involved in the Civil War, and in the light of that fact it may well be said that Gettysburg beyond question was the most important battle in the annals of warfare. It was the turning point in a struggle which in turn was the turning point in the life of a nation, and that nation undoubtedly is in turn destined to be the instrumentality through which, next to the transition from paganism to Christianity, the greatest transition in human history is to be accomplished, viz, the transfer of human energy involved in the transition from war to peace.

For centuries war was the rule and peace the exception; wars waged in part to maintain the power of sovereignty, but more often waged in the spirit of conquest to add to its dominion. During those centuries that impersonal spirit which sought to dominate humanity for its own aggrandizement utilized the human force upon the field of battle, and as man approached the point where war was destined to be the exception and peace the rule this human energy which had been exploited in war naturally turned to the more peaceful field of industrial activities. But the spirit which had exploited mankind through the centuries in war did not itself cease to exist as peace came to be the rule and war the exception. We find it to-day seeking to establish in the activities of industrial life that dominion which it finally lost upon the battle field, and if this Republic has any mission in history more than to give to the world something of the radiated spirit of free government that mission is to meet this new condition and develop that industrial justice which must some day be the logical sequence of the political

justice established by those who have gone before us, for somewhere and at some time it will be the mission of free government—that is, democracy—to develop industrial justice, for industrial justice is the natural sequence of political justice. Whether that result in the ultimate is the mission of this Republic time alone will tell, but that we have entered the initial stage of the struggle looking to that end is plain to anyone who studies the relation of cause and effect developed through the force of natural law related to human activities.

The spirit of power and dominion which for so many centuries made the battle field the outlet for human energy and the graveyard of humanity, while its goal was political power, now, in its newer struggle, it makes the power of inordinate wealth its goal, and the unjust acquisition and unfair use of such wealth the instrumentalities of the struggle by which to reach the goal of its ambition.

No nation can work out a great career without wealth. Wealth is essential to a nation's development. While this is true, it is equally true that the unjust acquisition of wealth and its unjust use constitute the real menace to the spirit of free institutions. In other words, as with most things, it depends upon whether it is made to serve common welfare or permitted to play the rôle of master.

We can not too strongly emphasize the difference between wealth on the one hand and its improper acquisition and improper use on the other. One is the ally as well as the natural product of the development of free government, the other its deadliest foe; and the failure to emphasize this difference has led to much confusion and brought much unjust criticism upon those who have raised a warning voice but failed to make clear this difference, the difference between real service on the one hand and unjust dominion upon the other. The improper acquisition and improper use of wealth in some form lies behind every assault upon a people's welfare, whether that welfare is considered from the viewpoint of the material, moral, or political; and, in fact, in free government the material, moral, and political welfare of a people are so interwoven that they may well be grouped under the general designation of "welfare."

Under the old order of things the overlord, amid pomp and ceremony, received the tribute of his vassals, while the petit baron accomplished the same unjust result by descending upon the unwary traveler, the difference in the unjust imposition being rather in the pomp accompanying it than in the nature of the robbery itself. And so to-day, the difference between the man who has fattened upon special privilege and, so far as the unfair taking is concerned, has violated a moral if not a civil law, and who now uses the fruits of that violation to poison the source of information, to dwarf and divert the spirit emanating from institutions of learning, and to silence and appease the outraged sentiment by the gloved hand that conceals a curse but seeks to show forth in the form of a supposed benefaction, and the man of the underworld who thrives upon vice and with his ill-gotten gains pollutes, locally and at its source, the political activities which surround him, is largely the difference between the overlord and the petit baron of other days.

This sinister force menaces free government at every point, and, like a beleaguering army, sends forth its sappers and miners to prepare the way for the assaulting columns. In the old struggle the

weapons were the battle-ax and spear, and later the cannon and musket, the scaffold and dungeon; while in this new struggle are the glitter and glamour of wealth; its supposed power to withhold or bestow benefactions; its dwarfing of courage and enslavement of mind. Already we have in this country too many who feel that the few should sit around the banquet board heaped so high that some crumbs must fall, and the gathering of those crumbs be regarded as a privilege bestowed upon the masses. There are too many who, in fear and trembling, accept the crumbs, forgetful of the fact that wealth is the product of the activities of all, although its gathering may be the activities of the few; and that the activities of all, being the real source of the combined wealth of the country, to prevent an inequitable and unjust assembling and unjust use of wealth in the hands of the few, is the real problem, or, to paraphrase the expression of Lincoln, the real struggle of the ages is between those who create and those who assimilate.

The so-called "captain of industry" who unites existing activities and capitalizes the statutes, or who unites credit in the development of new activities, does not create wealth; that is created by the activities of all. Every overcapitalization, every combination, finds its stock-market value not alone in the wealth created or contributed by those who organize it, not alone in increased efficiency—for the crushing of competition and establishment of monopoly does not develop efficiency—but in their power to collect and the capacity of the people to pay the tolls it expects to impose upon the people for the privilege of using their own highway, the highway of industrial progress. We have too many who are forgetful of the fact that the mailed hand that shows forth its purpose is far less dangerous than the gloved hand which destroys while it conceals its purpose. And yet there is a bright side to this picture, for more and more the American people are awakening to a realization of their situation. More and more they fear that intellectual slavery which is designed to be and is the natural result of pretended benefactions which come not in the form of restitution, but for the undoubted purpose of stifling sentiment, dwarfing and diverting judgment, and enslaving mentality. More and more the American people say: If we have not schools, libraries, and hospitals enough, it is better that we build them ourselves, that they may be ours; that in the sacrifice which their building and maintenance involves we may quicken the spirit of sacrifice and deepen the appreciation of its fruits, recognizing the spirit of gratitude to that composite citizenship, ever ready and willing to bear the burdens of a complex civilization, rather than in the building and maintenance by the individual we may see the loss of independence of spirit and a perverted sense of gratitude.

Schools, libraries, and hospitals, when built by the people, are the visible marks of development, and the sacrifice involved serves as an inspiration, but when built by the individual they are the visible demonstration of the taking in excess of a fair equation and afford just ground for suspicion, especially when made by those who seek to thwart and evade the progressive spirit that lies behind governmental control, or resisting the efforts of justice to enforce that spirit, that the pretended benefaction is but an ill-concealed effort to appease a just sense of resentment and to stifle that spirit which should control its activities, and if not to redistribute, at least to prevent in the

future the taking of the excess. More and more the American people are awakening to the concept of the thought in their relation to this spirit that first unfairly takes and then unjustly uses, and to say to it, "We do not want yours; we want ours."

The lesson of Gettysburg proves that a nation can survive civil strife, for standing here to-day we may see in shadowy squadrons the living hosts that met in battle here. We can see men marching down into the valley of death with a dauntless courage that makes mockery of fear; again we hear the moan of the dying, the shout of the living. We can hear again the sob of the widow and orphan, but we can not forget that back of that battling host there was a spirit of patriotism that subordinated self to the sense of service. While we all will agree to-day that upon one side there was a mistaken judgment, none will question but that both hosts were prompted by a spirit of unselfish sacrifice, and in the mourning homes of that day, North and South, the dark pall of grief that shadowed the heart of motherhood, widowhood, and childhood was pierced by one illuminating ray—the thought that the sacrifice was for humanity.

Nations can survive the clash of arms, where achievement leaves such a legacy of patriotic inspiration, but no nation can long survive such scenes as at Ludlow, where inordinate greed and desire for unlimited power subordinates everything to its purpose and the struggle leaves, not a legacy of patriotic inspiration, but rather one of malignant hate and undying resentment.

The spectacle of the great strike at Homestead a few years ago is a picture every American would gladly blot from the pages of our country's history; but the wreck and havoc then wrought by the hand of lawless force—deplorable as it was—is dwarfed almost beyond the reach of vision when compared with the wreckage of American independence of thought since wrought through intellectual enslavement, by the use of the millions which a deluded public paid as a tribute to false sentiment of industrial supremacy, and the millions added through the questionable process of the capitalization of a commercial greed, which, in the main, could only in the end be realized upon by the destruction of competition and establishment of monopoly.

We have no apology for lawless force, although it must be borne in mind that every protest is related somewhere to the parent of protests, oppression. While lawless force should be deprecated, it is no such menace to the spirit of free government as lawless wealth, for lawless force weakens itself in the very opposition which it develops among the people, while with lawless wealth it is a part of its purpose, the logic of its use, that it destroy opposition by controlling activities, by diverting judgment and enslaving mentality. It is not the mailed hand but the gloved hand that in all ages has retarded human progress and is to-day the real menace to free government.

It will not do for us as a people to content ourselves with the thought that the sole mission of this Republic is to see itself reflected in a rapidly developing republican spirit throughout the world. We may well rejoice that such has been the result of the establishment of this Republic, and every American may well feel a thrill of pride as he contemplates a world-wide tendency to a transition from monarchy to republic. But we can not develop, nor even preserve, the

spirit of our own institutions by simply basking in the sunlight of a reflected effulgence, even though it may be traced to the influence radiating from the Republic which we have established.

No nation ever fell before external forces until first weakened by internal forces. In all ages a favorite instrument in the hands of that power which enslaved and oppressed was the dazzling picture of foreign conquest, ever so effectively employed to deaden the sensibilities of a people to the wrong and oppression visited upon them. Proud of our influence in the world-wide sphere of thought, purpose, and development, as we have a right to be, let us not make the mistake of those who have gone before, but realize that our mission in the world and our duty to the world, broad, grand, and splendid as it may be, is secondary to our mission in the development of a true democracy at home and a duty to ourselves in preserving our institutions from that same foe to which can be traced the wreck and ruin of empire in the past. So, too, of our boasted, world-wide industrial triumph. It may appeal to our pride to be told that the products of our industrial activity are to be found everywhere, indicating the early coming of a world-wide industrial supremacy, but such pride must not blind us to the deplorable condition prevailing at the great centers of industry, and must not blind us to the fact of the awful toll of life, misery, and human decadence such supremacy exacts. We can not still the voice of protest, nor conceal the wreckage of humanity in the reflection only of a world-wide industrial supremacy.

The first and all-important industrial triumph which we should achieve is the triumph of industrial justice at home, and in contemplating the reflected glory born of our republican institutions we must not allow the sense of our mission to the world to blind us to a sense of our duty to America.

In our struggle against this power, it will not do to yield to the very instruments which it used so effectively in its resistance to the growth of political rights. Chief among these was the force of tradition. At every step of human progress there has been a spirit of Toryism which appealed to the sancitity of the past. That same appeal is made to-day, the sacredness of tradition, and that, too, in spite of the patent fact that every step of human progress has been, and is, either the abandonment or the condemnation of that which went before. Another favorite instrument in the hands of wrong ever has been and is to-day an exhortation to revere what is held up as a false concept of law, because in proportion as man can be made to feel that there is some vague abstraction which is responsible for the burdens which he bears, he is, in a measure, reconciled to the burden, because he is unable to trace it to its real author.

Of course, there are some rules of civil conduct so long established, so plain of purpose, relating to the intercourse of man with man, as to require no interpretation and have come to be recognized as fixed rules of conduct, but in that sphere of activities where the rights of a people are concerned; in that struggle to prevent the unjust acquisition through the unjust imposition of burdens upon all; in that struggle to establish a real democracy, political and industrial; in that eternal struggle between the past and present, involving as it does growth of power in government to meet the spirit which would subordinate government to the interests of the few; to assume that we have inherited an infallible abstraction known as the "law," is

illogical. In the sense of such an abstraction, as a fixed law, governing the ever new and varied phases of the struggle, there can be no such thing as "government by law." Law for to-day may or may not be law for to-morrow. From the very nature of things, in this sense, government must be government by man, for in the sense that there is somewhere a force, an abstraction called "law," disassociated from man acting in the twilight zone of discretion, in the making and administration of rules, there never was and never will be such a thing as "government by law."

From the moment when a legislative policy is a mere shadowy, undeveloped concept in the brain of some man, until that policy has been wrought into legislation, and again worked out through judicial construction, and again through the activities of administrative function to the point where some one standing before the bar of justice is directed to go hence acquit or receives a sentence imposing a penalty, at every step it is the result of some man's decision, largely free to adopt one course or the other, and acting all the time within that twilight zone of discretion wherein at one extreme a court may solemnly read into a statute words which a legislature has just as solemnly refused to put in the statute to the other extreme where a mere bailiff can harden or soften the personal comfort of the individual committed to his care under sentence of the court.

We must, therefore, realize that where there is a wrong, where there is an injustice, there is a human, not an abstract responsibility for such wrong or injustice. There is no slavery so abject as the slavery of fetichism, the blind worship of an abstraction. It was an abstraction, the claim of monarchy, of the divine right to rule, that so long held the human mind fettered and enslaved; and it was only as man began to unmask this fetich of royalty and saw the human, saw that there was nothing but a human exercising the power of wrong and oppression, that he grasped the broad concept of the relation of man to man and caught the vision of that equation of human rights which substitutes justice in behalf of all for the prestige of an abstraction, which has always been the weapon of the few. So we can not emphasize too strongly in this struggle the necessity for looking back and behind every wrong to discover the human force that is responsible for that wrong.

We must, of course, have due regard for law and ever seek to cure its miscarriage through orderly methods; still, we must recognize that the principle of justice is the only abstraction to reverence, and for every wrong committed and every unjust burden imposed, we must trace it to the human agency that is responsible for it, because it is only in proportion as we disillusionize the abstraction and see the human behind the injustice and wrong that we awaken to the sense of the imposition and seek a remedy for its abatement. Law there is, and must be, but it is that law worked out through the will and purpose of fallible man acting, in the main, as a self-determining agent, and for a reverence for an abstraction we should substitute a reverence for the principle of justice which, in turn, should be the guiding spirit of those intrusted, for the time being, with the making and enforcement of the rules of civil conduct, realizing that in free government man is the instrument through which we seek to place,

against the injustice of the few, that broad spirit of justice that can only spring from an equally broad equation of humanity.

Although, perhaps, not strictly germane to this argument, we should remember, on the other hand, that every benefaction which comes from what we call "government," comes from that broad equation of humanity of which government is the visible evidence of the association, and that every material benefit involving appropriations must first come from the taxpayers themselves—the people—and a just appreciation of this fact would lessen an ofttimes thoughtless demand upon the resources of government, thoughtless because we fail to realize that every dollar expended must first be garnered from the taxpayers.

Another instrument, or, rather, slogan, of the old struggle was the inhuman cry, "The survival of the fittest." This cry we still hear echoed to-day; but we must remember it is the law of the brute world and had its place where everything was subordinated to inordinate greed of power, and man was but the plaything of that brutal spirit personified by such power. The very fundamental of democracy is the right of all to exist. If all are to reap the benefits of the human association called "government," all must participate in the making and administration of its policies. If we are to lift ourselves above the level of animal life, if we are to recognize that one man has a right which another man must respect, we must abandon the cry which is the keynote of mere brute existence, "The survival of the fittest." It has no place in free government except so far as it relates to purely intellectual supremacy, and even in the sphere of intellectual supremacy we must sometimes protect the weak as against the strong. In the clash and conflict of thoughts and ideas, that which has been proved best by the only test this side of Divine judgment, the ripened verdict of a people, must triumph Civilization can not adjust itself to a principle, when applied to the material world, to the right to the enjoyment of the comforts of life, an axiom that is the dominant law of brute life and found its only place in human activities while the brute instinct predominated.

The remedy for industrial injustice must be found in the genesis of man's struggle for political justice. He first awakened to the thought that the glitter and glamour of royalty was unreal, and then to the thought that no man, no truly human being was ever good enough to be the self-constituted guardian of the welfare of another; then to the thought which was the real mainspring of progress toward civil liberty, viz, that man was not made to be laid as a sacrifice on the altar of royal ambition; and then he grasped the thought that even the moat-protected parapet was powerless to stay God's eternal purpose of justice, wrought out through human sacrifice, and then it blossomed forth into free government in the realization that common welfare should be the goal of human association and that humanity, in the concrete, is able, under Divine guidance, to develop its own instrumentalities. And so in this new struggle to meet error we must uncover error. We must no longer be dazzled by the glamour of wealth; we must recognize that in this struggle it is man for man; we must recognize that no man is good enough to be permitted to constitute himself the guardian of public welfare; we must recognize that man was no more created to serve as a sacrifice to inordinate

greed and unrestrained commercialism than he was created to serve as a sacrifice to royal pomp and ambition; we must recognize that buttressed wrong is to-day as powerless as granite parapet was in the past against the resistless purpose of a free people. For selfish greed we must substitute patriotism and then we will discover that man, in the concrete, is just as capable of establishing and maintaining industrial justice as he was in establishing and maintaining political justice; in other words, the establishment of real democracy.

The opponents of democracy assert that for the evils of democracy we seek to apply more democracy. We should, however, distinguish between the evils of a system, if it has any, and those evils which are foreign to it, and find lodgment there only through the instrumentality of forces opposed to the system. The betrayal and perversion of democracy is not the test of democracy. There is a vast difference between democracy and hypocrisy, although the latter may seek to masquerade as democracy. Democracy means government by the people. Real democracy either contains within itself the elements of the solution of this problem or those who have laid down their lives in the effort to reach democracy have sacrificed in vain. We can not believe this sacrifice has been in vain, for back of the spirit of sacrifice planted in the breast of man there must have been a divine purpose to the fruition of which sacrifice was essential.

Every great achievement has a dual existence. It lives related to those who achieved. It may also live related to the great movements of humanity, but it has often happened in the past that the flower of a nation's manhood wrote into history some great achievement which, as their achievement, became immortal; but the fruit of the sacrifice was lost by those for whom it was made, and, aside from the achievement showing forth the valor and patriotism of those who wrought it, it has ceased to be of historic significance.

Gettysburg, as related to those who burned its name into the page of history, will live forever. The achievement of those who, in their victory here, made Gettysburg the turning point in a struggle which involved a nation's life will remain immortal. That immortality you and your comrades, living and dead, secured. It is yours, sacredly yours, and no betrayal of this legacy which we have inherited can ever rob you of that crown of heroic valor, of unselfish patriotism, the luster of which will brighten as time goes on. No betrayal of the legacy which we have inherited can rob you of the immortality of your achievement. On the other hand, whether Gettysburg becomes immortal, as related to one of the greatest transitions in the history of the race, will depend upon whether the American Republic is destined to only serve as a medium from which man passed from monarchy to republic and from which mankind will project itself into a deeper and broader fruition of democracy; or whether this Republic, in itself, shall solve the problems born of the transition from the old to the new, and this depends upon us and those who are to follow. God grant that the American people, in preserving this legacy, may make Gettysburg as immortal in its relation to the story of humanity as those who battled here made it immortal in the annals of heroic achievement.

For one I believe that the mission of our Republic is something more than to merely give to mankind as its contribution a world-wide extension of free government; that its real mission is deeper

and broader than that, being the development of that real democracy that means industrial as well as political justice, and that our people will find the inspiration to this in recalling the achievements of yourselves and your departed comrades, for nowhere in history is there such inspiration. In all ages man has gone forth to battle, obedient to one of three conditions. He was inspired by the lust of conquest, or he went obedient to the conscript law, or the instinct of self-defense steeled his heart and strengthened his arm while he waged the warfare of defense. But in sixty-one there was no thought of conquest, you scarcely knew what the conscript law meant, and no instinct of self-defense born of imperiled fireside prompted you. But lifted to a plane where manhood had never stood before, you went forth to battle and to die that the spirit of free institutions might be preserved. As with the manhood of sixty-one, so with the womanhood of sixty-one. In all ages woman has cheered man when he has gone forth to battle; sometimes she has shared in the lust of conquest; again she has yielded, with man, obedience to the conscription; and, again, she has shared with him in the instinct of defense, but the womanhood of sixty-one was lifted to a plane where womanhood had never stood before. There was no thought of conquest, scarcely a knowledge of conscript law, and no imperiled fireside, but the womanhood of sixty-one stood where she bade manhood go forth to battle and die for the spirit of free institutions. We must not forget that it is not man alone who sacrifices in war, for it detracts nothing from the meed of praise due you to say that you had the inspiration born of the comradeship of brave men, but the womanhood of sixty-one knew nothing of that. No waving banners, no martial music no comradeship of brave men in camp and on battle line, but alone she kept her vigils and bore her burden as only woman can. Surely, inspired by the memory of the heroism and patriotism of that day; inspired by the mute eloquence of the graves of our heroic dead, the American people can not be recreant to that trust which your sacrifice committed to their care.

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